

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND ALFORD BRADFORD,
Plaintiff,
v.
S. GEE, *et al.*
Defendants.

Case No. 2:20-cv-00714-JDP (PC)

**ORDER GRANTING PLAINTIFF UNTIL
MAY 31, 2021 TO FILE A SECOND
AMENDED COMPLAINT**

S. GEE, *et al.*

Defendants.

17 On January 12, 2021, I screened plaintiff's first amended complaint and notified plaintiff
18 that it had failed to state a claim. ECF No. 17. Plaintiff was granted sixty days to file an
19 amended complaint. Rather than filing a second amended complaint, plaintiff filed objections to
20 the January 12, 2021 order. On April 5, 2021, plaintiff was ordered to show cause why this
21 action should not be dismissed for failure to prosecute and for failure to state a claim. ECF No.
22 20.

23 In his response to the order to show cause, plaintiff argues that this action should not be
24 dismissed because he specifically recalls mailing his second amended complaint around January
25 17, 2021. ECF No. 21. Plaintiff's representation is dubious in light of the averments contained in
26 his objections to the January 12, 2021 order. In those objections, which are dated January 25,
27 2021, plaintiff expressed his belief that the court was attempting to "bully him out of his
28 cognizable claims" and indicated that he would seek appellate review of any order finding that he

1 failed to state a cognizable claim. ECF No. 18 at 2. Regardless, given that plaintiff is proceeding
2 without counsel, I will afford him one final opportunity to file a second amended complaint.

3 Accordingly, it is hereby ORDERED that:

4 1. Plaintiff is granted until May 31, 2021 to file a second amended complaint.
5 2. Plaintiff is warned that failure to file an amended compliant by that date will result in a
6 recommendation that this action be dismissed.

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8 IT IS SO ORDERED.

9 Dated: May 3, 2021


10 JEREMY D. PETERSON
11 UNITED STATES MAGISTRATE JUDGE

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